

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 11-19, 21-24, 26-29, 43-52, 61-64, 70-72, 74-77, 81-89, and 92-93 are pending in the application, with 11, 43, 61, and 72 being the independent claims. Claims 53-58 are sought to be canceled without prejudice to or disclaimer of the subject matter contained therein. Claims 11, 43-52, 61, 63, 70-71 and 83 are sought to be amended.

These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Interview Summary

Applicants thank the Examiner for the opportunity to conduct a phone interview with Examiner Gary Portka on January 15, 2009 regarding the Office Action of November 13, 2008. Representing Applicants was Patent Agent Steven C. Oppenheimer (registration number 57,418).

Applicants' representative thanked the Examiner for allowances on claims 11-19, 21-24, 26-29 and 61-64.

The Examiner and Applicants' representative discussed the rejections of various claims under 35 U.S.C. § 101, 35 U.S.C. § 102, and 35 U.S.C. § 112.

Regarding the rejections under 35 U.S.C. § 101, Applicants' representative indicated that claim amendments would be made to address the claim rejections. The Examiner indicated that consideration would be made of the claim amendments once received in the reply to the Office Action. These amendments, submitted above in the present reply, are discussed further below.

Regarding the rejections under 35 U.S.C. § 102, Applicants' representative indicated that, without acquiescing to the propriety of the rejection, the associated claims would be canceled in the reply to the Office Action.

Regarding the rejections under 35 U.S.C. § 112, Applicants' representative discussed the claims language cited in the rejection. The Examiner indicated that the rejection would be withdrawn if Applicants cited appropriate support in the specification for the claim language cited in the rejection. Such support is cited in discussion presented below.

Allowed Claims

As per the interview, discussed above, Applicants acknowledge and appreciate that claims 11-19, 21-24, 26-29 and 61-64 are allowed.

Rejections under 35 U.S.C. § 101

Applicants have amended claims 43-52 and 70-71 to overcome the rejection thereto set forth in paragraphs 4-5 of the Office Action. Accordingly, Applicants respectfully request that the rejection of claims 43-52 and 70-71 under 35 U.S.C. § 101 be reconsidered and withdrawn, and that the claims be allowed.

Rejections under 35 U.S.C. § 102

In paragraphs 8-10 of the Office Action, claims 53-58 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,892,282 B2 to Hass *et. al.*, (hereinafter "Hass").

Without acquiescing to the rejection, Applicants have canceled claims 53-58 without prejudice to or disclaimer of the subject matter contained therein, thereby rendering the rejection thereto moot.

Rejections under 35 U.S.C. § 112

In paragraphs 6 and 7 of the Office Action, claims 43-52, 70-72, 74-77, 81-89, and 92-93 are rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The claim language subject to the rejection pertains to the phrases "data coherence being latency independent of the latency differences between the disparate

fabrics with different data latencies" (claim 43) and "data coherency is maintained across the agents irrespective of the differences in data latencies" (claim 72).

As per the phone conference of January 15, 2009, already discussed above, Applicants cite here specific disclosure in the present application which supports and explains the associated system and method elements.

Support for the referenced claim language in claims 43 and 72, as well as similar or associated language in claims dependent thereon, may be found, *inter alia*, under Field Of The Invention (paragraph 0002), Summary (paragraphs 0010, 0011, 0012, 0013, 0015, and 0017), and the Detailed Description (paragraphs 0037, 0044, 0048, 0050, 0061, 0066, and 0071), and in figures and disclosure throughout the application. For example, paragraph 0048 discloses, in part:

[0048] In operation, requests for reads/writes from agents to memory come into the global arbiter 700, from any of the three fabrics 704, 706, 708 and are placed in the queue 718 for presentation to the request logic 724. The request logic presents the requests to the global ordering and arbitration logic 730 so that a global order for each of the requests can be established. In one embodiment, the global ordering and arbitration logic 730 tags each of the incoming requests with a global order tag (not shown) which associates the request with a global order. This tag is then tracked by the global ordering and arbitration logic 730 so it can insure that multiple requests are not responded to out of order. *That is, the global ordering and arbitration logic 730 insures that while multiple requests may be pending across disparate fabrics, that the requests are responded to according to the global order established, without regard to latencies between the requester and other agents on any of the fabrics 704, 706, 708.* [Emphasis added]

Applicants submit that at least in light of the support to be found in the specification for the language of independent claims 43 and 72, as well claims 44-52, 71, 74-77, 81-89, and 92-93 dependent thereon, the cited language of the claims is not indefinite under 35 U.S.C. § 112. Applicants therefore respectfully request that the rejection of claims 43-52, 70-72, 74-77, 81-89, and 92-93 under 35 U.S.C. § 112 be reconsidered and withdrawn, and that the claims be allowed.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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